



041604

14202 U.S. PTO

Practitioner's Docket No. 889\_001

PATENT

## NEW APPLICATION TRANSMITTAL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on *April 16, 2004* under "EXPRESS MAIL" mailing label number EV 472820482 US.

*Elizabeth A. VanAntwerp*  
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22387 U.S. PTO  
10/826165

041604

Transmitted herewith for filing is the patent application of:

Inventor: Jiro KANIE  
Address: 5-11-2, Okute-Cho, Chikusa-Ku  
Nagoya-Shi, Aichi-Prefecture 464-0854  
Japan

**TITLE:** ENTERAL NUTRITION PRODUCT AND METHOD FOR PREPARING THE SAME

**1. Type of Application**

This is a request for filing a **CONTINUATION APPLICATION** under 37 C.F.R. §1.53(b), of pending prior application International Application No. **PCT/JP02/10704**, having an international filing date of **October 15, 2002**, entitled **Enteral Nutrient and Process for Producing the Same**, which designated the United States.

**2. Papers Enclosed****A. Required for filing date under 37 CFR 1.53(b) (Regular) are:**

- 41 Page(s) of Specification
- 3 Page(s) of Claims
- 1 Page(s) of Abstract
- 7 Sheets of Formal Drawings (Figs. 1-7)

**B. Other Papers Enclosed**

- ☒ A Patent Application Bibliographic Data Sheet
- ☐ A Preliminary Amendment
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449
- ☒ PCT/IB/308
- ☒ International Publication (front page only)

**3. Additional Papers to Follow Under Separate Cover**

☒ A Declaration and Power of Attorney (English/Japanese Language Declaration)

**4. The correspondence address for this application is:** Customer No. 025191

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**5. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)**

☐ Applicants hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

☐ Applicants hereby request that the attached application **not be** published under 35 U.S.C. 122(b).

**6. Relate Back****A. 35 U.S.C. 119(e)**

☐ Priority of provisional application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, is hereby claimed under 35 U.S.C. §119(e).

**B. 35 U.S.C. 120, 121 and 365(c)**

☒ Priority of said prior application(s) is hereby claimed under 35 U.S.C. §120.

<u>Application Number</u>	<u>Filing Date</u>	<u>Relationship</u>
PCT/JP02/10704	October 15, 2002	Parent

**C. 35 U.S.C. 119 Priority Claim for Prior Application**

☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

<u>Country</u>	<u>Application Number</u>	<u>Filing Date</u>
Japan	2001-323124	October 22, 2001
Japan	2002-108094	April 10, 2002

☒ Certified copies of the above corresponding foreign applications will follow under separate cover.

**7. The filing fee has been calculated as shown below:**

<b>Basic Filing fee (37 CFR §1.16(a))</b>				<b>\$ 770.00</b>
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	
Total Claims	4 - 20 =	0	× \$ 18.00	
Independent Claims	2 - 3 =	0	× \$ 86.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	
<b>Surcharge fees (37 C.F.R. 1.16(e)--\$130.00)</b>				
<input checked="" type="checkbox"/> late payment of filing fee <i>and/or</i>				\$ 130.00
<input checked="" type="checkbox"/> late filing of original declaration or oath				
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 900.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$ 450.00</b>
<b>SUBTOTAL =</b>				<b>\$ 450.00</b>
<input type="checkbox"/> Fee for processing an application filed with a specification in a non-English language (37 C.F.R. 1.17(i) and 1.52(d)--\$130.00)				
<input type="checkbox"/> Assignment Fee (37 CFR §1.21(h)--\$40.00)				
<b>TOTAL FEES DUE =</b>				<b>\$ 450.00</b>

**8. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

April 16, 2004

Date



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KCB/eav

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